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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,427	08/29/2001	Anthony L. Priborsky	3123-369	7477

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HANSRA PATENT SERVICES  
4525 GLEN MEADOWS PLACE  
BELLINGHAM, WA 98226

EXAMINER

ELAMIN, ABDELMONIEM I

ART UNIT PAPER NUMBER

2182

DATE MAILED: 07/31/2003

5

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/942,427

Applicant(s)

Priborsky

Examiner

Abdelmoniem Elamin

Art Unit

2182

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Aug 29, 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 2 6) ☐ Other:

Art Unit: 2182

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

- (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
- (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 1-43, are rejected under 35 U.S.C. 102(e) as being anticipated by Dye et al, US. Pat.

No. 6,523,102.

3. Claims 1, 10, 15, 18, 20-26, Dye teaches a method for increasing the data throughput performance of a memory controller [*title, abstract*], comprising;

receiving data from a source [*abstract, col. 85, line 39*];

compressing said data [*abstract, col. 85, lines 40-43*];

storing said data in memory [*abstract, col. 85, lines 40-48*];

reading said data from memory [*abstract, col. 86, lines 18-20*];

decompressing said data [*abstract, col. 86, lines 20-24*]; and

*Art Unit: 2182*

providing said data to a data consumer [*abstract, col. 86, line 27*].

4. Claims 2-4, 16, 27-29 and 39-40, Dye teaches said data is received from said source at a first data rate and stored in said memory at a second data rate wherein said first data rate is greater than said second data rate [*col. 8, lines 54-65*].
5. Claims 5, 7-8, 30-32, Dye teaches compression/decompression performed by an ASIC [*abstract*].
6. Claims 6, 17, Dye teaches compression/decompression performed by at least on microcode and firmware running on a programmable microprocessor [*col. 1, lines 32-46*].
7. Claim 9, Dye teaches compressing said decompressed data from said memory to a temporary buffer [*col. 5, line 49 thru col. 6, line 15, col. 7, lines 8-39*].
8. Claim 11, Dye teaches said data source comprises at least one of a host computer, a host memory, and a peripheral device [*abstract, col. 85, line 39*].
9. Claim 12, Dye teaches said data consumer comprises at least one of a host computer, a host memory, and a peripheral device [*abstract, col. 86, line 27*].

*Art Unit: 2182*

10. Claims 13-14, Dye teaches said data is received from said source by a first interface, and wherein said data is provided to said data consumer by a second interface [*abstract, col. 85, line 39, col. 86, line 27*].

11. Claim 19, Dye teaches said storage comprises a hard drive [*col. 5, lines 40-48*].

12. Claim 33, Dye teaches said memory comprises a DRAM [*col. 1, lines 21-31*].

13. Claim 34, Dye teaches said first interface is interconnected to a host computer [*Fig. 2*].

14. Claims 35-36, Dye teaches said second interface is interconnected to a first data storage device [*Fig. 2, col. 5, lines 40-48*].

15. Claim 37, Dye teaches said memory controller is implemented within a controller of a data storage device [*Fig. 2*].

16. Claim 38, Dye teaches said data storage device is a hard disk drive [*col. 5, lines 40-48*].

17. Claim 41-43, Dye teaches a first compression flag to signal that said first data has been compressed [*col. 44, line 48 thru col. 45, line 3*].

*Art Unit: 2182*

***Conclusion***

*18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdelmoniem I. Elamin whose telephone number is (703) 305-3804. The examiner can normally be reached Monday through Friday from 9:30 AM to 6:00 PM.*

*If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin, can be reached at (703)308-3301.*

*Any inquiry of a general nature relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)305-3900.*

*Any response to this action should be mailed to:*

*Commissioner of Patents and trademarks*

*Washington, D.C. 20231*

*Or faxed to:*

*(703) 746-7239 (Official)*

*(703) 746-7240 (Non-Official/Draft)*

*(703) 746-7238 (After-final)*

*Application/Control Number: 09/942,427*

*Page 6*

*Art Unit: 2182*

*Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA,  
Forth Floor (receptionist).*



*Respectively submitted*

*Abdelmoniem Elamin*

*July 27, 2003*